

### **REMARKS**

Claims 1-26 were pending in this application. Claims 12, 13, 25 and 26 are now cancelled without prejudice to Applicants' right to prosecute their subject matter in the present application and in related applications. New claims 27-44 are added and claims 1, 2, 6, and 19-22 are currently amended without any intent of disclaiming equivalents thereof. Accordingly, claims 1-11, 14-24 and 27-44 are pending and presented for consideration.

#### **Claim Amendments**

Support for the recitation of "wherein the antibody variable region (i) is capable of binding to human GD2 and, (ii) when administered to a human patient, is less immunogenic than a variable region of a mouse anti-GD2 antibody" in amended claims 1, 2 and 6 is found in the specification at least, for example, at page 3, paragraph 9, and at page 5, paragraph 17. Claims 19-22 are amended for clarification. Support for new claims 27-44 is found in the specification at least, for example, at page 3, paragraph 13, and at page 4, paragraph 14. Additional support for new claims 29, 30, 33, 34, 37, 38, and 41-44 is found in the specification at least, for example, in Examples 2 and 3.

Applicants submit that the amendments to the claims introduce no new matter.

#### **Restriction Requirement**

The Office action requires restriction of pending claims 1-26 to one of five patentably distinct inventions. Applicants elect, without traverse, the invention defined by claims 1-11 and 16-24, identified as "Group 1" in the Office action. Applicants, however, understand that the groups 1 and 3 are related as product and process of use. Therefore, upon allowance of the elected product claims, the related process claims, at least including claims 14, 15 and 27-44, will be rejoined in accordance with MPEP § 821.04.

#### **Election of Species**

The Office action also requires election of one cytokine species to which the claims of the elected groups will be drawn for prosecution on merits and to which the claims shall be restricted if no generic claims is finally held to be allowable. Applicants provisionally elect interleukin.

Applicants further submit that all pending claims 1-11, 14-24 and 27-44 are readable on the provisionally elected species. Applicants understand that upon allowance of generic claims corresponding to the elected species, Applicants may claim additional species as provided by 37 C.F.R. § 1.141.

The Examiner is invited to contact the undersigned to discuss any outstanding issues. Early favorable action is respectfully requested.

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Respectfully submitted,



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